



U.S. Department of Justice
Office of Information Policy
Suite 11050
1425 New York Avenue, NW
Washington, DC 20530-0001

Telephone: (202) 514-3642

December 6, 2018

Ms. Danielle McLean
ThinkProgress.org
MuckRock
DEPT MR 42691
411A Highland Avenue
Somerville, MA 02144-2516
42691-28788986@requests.muckrock.com

Re: DOJ-2017-006489 (AG)
VRB:DRH:ERH

Dear Ms. McLean:

This responds to your Freedom of Information Act (FOIA) request dated September 1, 2017, and received in this Office on September 5, 2017, in which you requested correspondence dating February 9, 2017, to September 1, 2017, between the Office of the Attorney General and members of the Fraternal Order of Police involving matters that pertain to official business. This response is made on behalf of the Office of the Attorney General.

Pursuant to your telephone conversation of September 12, 2017, with Eric Hotchkiss of this Office, you agreed that your request would be satisfied by a search of the electronic database of the Departmental Executive Secretariat, which is the official records repository of the Office of the Attorney General. Your request has been processed accordingly.

Please be advised that a search has been conducted of the electronic database of the Departmental Executive Secretariat, which is the official records repository for the Office of the Attorney General, and five pages of material were located that are responsive to your request. I have determined that this material is appropriate for release with excisions made pursuant to Exemption 6 of the FOIA, 5 U.S.C. § 552(b)(6), which pertains to information the release of which would constitute a clearly unwarranted invasion of the personal privacy of a third party.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. *See* 5 U.S.C. § 552 (2012 & Supp. V 2017). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

You may contact our FOIA Public Liaison, Douglas Hibbard, for any further assistance and to discuss any aspect of your request at: Office of Information Policy, United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001; telephone at 202-514-3642; or facsimile at 202-514-1009.

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001; e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with my response to this request, you may administratively appeal by writing to the Director, Office of Information Policy, United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001, or you may submit an appeal through OIP's FOIAonline portal at <https://foiaonline.gov/foiaonline/action/public/home>. Your appeal must be postmarked or electronically submitted within ninety days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,

A handwritten signature in blue ink, appearing to read "Vanessa R. Brinkmann", with a small "BR" monogram at the end.

Vanessa R. Brinkmann
Senior Counsel

Enclosures

From: Bryant, Errical (OAG) [ebryant@jmd.usdoj.gov]
Sent: Monday, February 20, 2017 4:29:55 PM
To: DOJExecSec (JMD)
CC: Jackson, Wykema C. (OAG) (JMD)
Subject: FW: Meeting request

[To Exe Sec for log in.](#)

From: Cutrona, Danielle (OAG)
Sent: Monday, February 20, 2017 9:41 AM
To: Bryant, Errical (OAG) <ebryant@jmd.usdoj.gov>
Subject: Meeting request

Errical,
In addition to the lunch, FOP would like to sit down with the AG separately in a meeting to discuss some issues in detail. I believe those attending would be Chuck Canterbury and Jim Pasco, whose contact info is below. You can talk to Jim about setting it up whenever convenient. Let me know if you need anything else.
Thanks,
Danielle

Begin forwarded message:

From: Jim Pasco (b) (6)
Date: February 20, 2017 at 8:02:06 AM EST
To: <Danielle.Cutrona@usdoj.gov>
Subject: Pls call me on my cell ((b) (6)) when you get a minute- thx

Jim Pasco
Senior Advisor to the President
National Fraternal Order of Police



22-13

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328 MASSACHUSETTS AVE., N.E.
WASHINGTON, DC 20002
PHONE 202-547-8189 • FAX 202-547-8190

CHUCK CANTERBURY
NATIONAL PRESIDENT

JAMES O. PASCO, JR.
EXECUTIVE DIRECTOR

7 April 2017

The Honorable Jefferson B. Sessions III
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

Dear General Sessions,

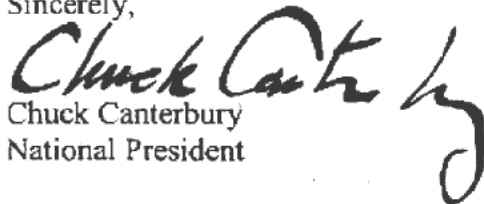
On behalf of the membership of the Fraternal Order of Police, I would like to invite you to join me on the dais for our 36th Annual National Peace Officers' Memorial Service in Washington, D.C., on Monday, 15 May 2017.

This service pays tribute to the law enforcement officers who gave their lives in the line of duty in the previous year and honors the families who lost their loved one. This annual event will again take place on the West Front of the U.S. Capitol and we expect more than 20,000 officers and friends of law enforcement to attend. The service and the solemn reading of the Roll Call of Heroes ensures that the brave men and women who made the ultimate sacrifice to their communities and to this nation are not forgotten.

Your presence would be a great comfort to the families of the fallen officers and would demonstrate that the leaders of this nation recognize the sacrifice that these officers and their families have made. Their loss is ours.

We would appreciate an answer to this invitation as soon as possible in order to proceed with our planning. Please contact Executive Director Jim Pasco in my Washington office to confirm your attendance or if you need further information about this event.

Sincerely,


Chuck Canterbury
National President

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CHUCK CANTERBURY
NATIONAL PRESIDENT

JAMES O. PASCO, JR.
EXECUTIVE DIRECTOR

10 May 2017

The Honorable Jefferson B. Sessions III
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

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Dear General Sessions,

On behalf of the members of the Fraternal Order of Police, I invite you to speak at the opening ceremony of the 63rd National Biennial Conference of the Fraternal Order of Police.

The conference will be held in Nashville, Tennessee—the city in which the FOP headquarters is located. The opening ceremony is scheduled to begin promptly at 9:00 a.m. on Monday, 28 August 2017. We anticipate more than 10,000 members, delegates and guests in attendance. As you are our nation's "top cop," we believe your insights would be of tremendous interest to our delegates in addition to a moral boost for our members who find themselves continually under attack during these turbulent times.

Attorney General Sessions, we hope that you will be able to join us in Nashville and can promise you an attentive and enthusiastic audience.

On behalf of the more than 330,000 members of the Fraternal Order of Police, I am excited to extend an invitation to speak at our conference in Nashville. Please feel free to contact me or my Senior Advisor, Jim Pasco, in my Washington office if we can be of any additional help.

Sincerely,


Chuck Canterbury
National President

— BUILDING ON A PROUD TRADITION —



Randy L. Hagler
State President

NORTH CAROLINA STATE LODGE FRATERNAL ORDER OF POLICE

1500 Walnut Street
Cary, NC 27511
800-628-8062
Fax 919-461-4958



Lynn S. Wilson
State Secretary

May 22, 2017

The Honorable Jeffrey Sessions
Attorney General
U.S. Justice Department
950 Pennsylvania Ave. NW
Washington, D.C. 20530-0001

Re: Harnett County North Carolina Federal Investigation

Dear Attorney General Sessions:

The North Carolina State Lodge of the Fraternal Order of Police would like to express its views regarding a federal civil rights investigation of the Harnett County, North Carolina Sheriff's Department.

For the past several years, the Fraternal Order of Police has been gravely concerned with the increasing number of attacks on law enforcement officers throughout America. Those attacks often result from initial physical challenges by suspects or inmates and often quickly lead to necessary escalating use of force due to attacks against law enforcement officers. Outlandish media reports that do not accurately reflect what really happened follow and thereafter repetitious investigations and lawsuits follow. We respectfully submit that over the last several years, law enforcement agencies have experienced too many overlapping investigations. Responding to multiple lawsuits and legal challenges ends up costing hundreds of thousands of dollars when those funds could be better used in collaborative rather than adversarial efforts to combat crime and educate the public on problems officers are facing in criminal law enforcement.

In 2016, the United States Justice Department began an inquiry into a law enforcement investigation and actions taken on November 15, 2015 in Harnett County. In that matter, John Livingston was shot and killed by Harnett County Deputy Sheriff Nicholas Kehagias. We have discussed the facts with one of the attorneys involved in the case and we strongly believe that the use of force was completely justified and appropriate in light of the attack on former Deputy Kehagias. The incident was presented to the Grand Jury sitting in the Harnett County Superior

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Court, and the Grand Jury refused to return a [true](#) bill of indictment. The case also was investigated by the Training and Standards Division of the North Carolina Sheriffs' Association. The same facts were presented to this [certification](#) agency and the agency dismissed the case. We strongly believe that this incident is not appropriate for yet another investigation, this time a federal grand jury investigation. Accordingly, we respectfully ask that your staff and you examine this matter and direct the Federal Prosecutors to bring a swift conclusion to that federal inquiry with no charge against former Deputy Kehagias or any other Deputy Sheriff.

Furthermore, we understand a second case dating all the way back to 2011 was identified and investigated as part of the civil rights federal grand jury investigation lodged against the Harnett County Sheriffs' Office. The case involved a Taser incident in which an inmate threatened physical harm to officers, refused to follow directions, and made an aggressive move toward one of the officers. The [Detention Officer](#) used his Taser due to the inmate's refusal to follow commands and after making an aggressive move toward one of the officers. The Detention Officer had to make a split-second decision on whether to use the Taser. He believed he was justified in using the appropriate amount of force due the circumstances, and we understand other detention officers have corroborated that belief. Unfortunately, the inmate was left in the cell and later died as a result of lack of timely and adequate medical. The case was settled civilly in 2013. This case also was investigated and reviewed by both the State (North Carolina State Bureau of Investigation) and local authorities (Harnett County District Attorney's Office) and a decision was made that no criminal charges should be filed.

We understand that the federal grand jury investigation has lasted for over a year and it has taken a financial and emotional toll on the law enforcement officers in Harnett County. NCFOP believes that further federal oversight of this matter is unnecessary and unwarranted. Therefore, we respectfully request that the United States close its investigation so that the [resources](#) of the Harnett County Sheriffs' Office can be used in more meaningful ways including protecting the citizens of Harnett County.

North Carolina Fraternal Order of Police has more than 6,000 members in North Carolina and is looking forward to a close working relationship with The Department of Justice and appreciate your attention in this matter.

Thank you for your consideration of this request and please feel free to contact me if any additional information is needed.

Sincerely,



Randy Hagler
State President
North Carolina Fraternal Order of Police

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